



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

**5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912**

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

October 13, 2016

Mrs. Laurel Stoddard, Laboratory Director
ESS Laboratory
185 Frances Avenue
Cranston, RI 02910

Re: **NOTICE OF VIOLATION** of the applicable Generators Standards of Hazardous Waste, Section 3002 of the Resource Conservation and Recovery Act of 1976 (RCRA), and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S. § 6622(a), and the State of Rhode Island and Providence Plantations Rules and Regulations for Hazardous Waste Management (Regulation #DEM OWM-HW10-01).

Dear Mrs. Stoddard:

On September 7-8, 2016, the United States Environmental Protection Agency (EPA) conducted a Compliance Evaluation Inspection at ESS Laboratory ("ESS" or the "Facility") in Cranston, Rhode Island. The purpose of this inspection was to determine the compliance of ESS Laboratory, EPA ID No. RID980914550, with the State of Rhode Island and Providence Plantations Rules and Regulations for Hazardous Waste Management (Regulation #DEM OWM-HW10-01) and the Federal Hazardous Waste Management Regulations found at 40 CFR Part 260-272. The State of Rhode Island has been granted final authorization by EPA to administer certain portions of RCRA.

As a result of the inspection, EPA has determined that your facility violated certain provisions of the Rhode Island Rules and Regulations for Hazardous Waste Management and the RCRA regulations promulgated at 40 CFR Part 260 through Part 272. The specific violations are set forth below:

1. Failure to keep satellite accumulation containers closed.

Specifically, at the time of the inspection:

In the "VOA Lab," several-gallon satellite accumulation container labeled "UN3265, Waste Corrosive Liquid, Acidic, Organic, n.o.s. (Nitric Acid, Acetic Acid, 8, II)" had a puncture hole in the lid.

Immediately upon receipt of this NOTICE:

ESS Laboratory must address the requirements set forth above and must immediately begin and continue to operate in compliance with all applicable Federal and State regulations.

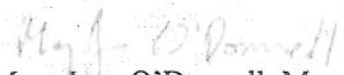
Within (30) thirty calendar days of receipt of this NOTICE, submit a written description, with supporting documentation, of the actions taken to address the violations described above.

Submit the information to:

**Christopher Smith, Environmental Scientist
U.S. Environmental Protection Agency
Office of Environmental Stewardship (OES05-4)
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912**

Failure to correct the violations as required by this NOTICE may subject the Facility to further Federal enforcement action, including the assessment of penalties, pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. If you have any questions regarding this NOTICE, please contact Christopher Smith, of my staff, at (617) 918-1339 or smith.christopher@epa.gov.

Sincerely,


Mary Jane O'Donnell, Manager
RCRA, EPCRA & Federal Programs Unit